

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Name of Patentee(s): **Kunio KONDO ET AL.**

Patent No.: **5,938,865**

Issued: **August 17, 1999**

Title: **PROCESS FOR PRODUCING HIGH-STRENGTH
SEAMLESS STEEL PIPE HAVING EXCELLENT SULFIDE
STRESS CRACKING RESISTANCE**

**OFFER TO SURRENDER ORIGINAL PATENT
AND ESTABLISHMENT OF OWNERSHIP**

Commissioner for Patents
Washington, D.C. 20231

BOX RE-ISSUE

Sir:

SUMITOMO METAL INDUSTRIES, LTD. is the assignee of the entire interest in the original patent (U.S. Patent No. 5,938,865). I offer to surrender the original patent.

STATEMENT UNDER 37 CFR §3.73(b)

SUMITOMO METAL INDUSTRIES, LTD. is the assignee of the entire interest in the original patent (U.S. Patent No. 5,938,865) by virtue of an assignment recorded in the U.S.

Patent and Trademark Office at Reel 8965 and Frame 0580.

I am authorized to act on behalf of the assignee. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under

Reissue of U.S. Patent No. 5,938,865
Attorney Docket No.: 971268RI

Title 18 of the United States Code, § 1001 and that such willful false statements may jeopardize
the validity of the application or any patent issued thereon.

Tetsuaki Tsuda Date: Feb. 18, 2003

Name: Tetsuaki Tsuda

Title: General Manager of Intellectual Property Department

For: **SUMITOMO METAL INDUSTRIES, LTD.**

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Patent No.: **5,938,865**
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CONSENT OF REISSUE

Commissioner for Patents
Washington, D.C. 20231

BOX RE-ISSUE

Sir:

SUMITOMO METAL INDUSTRIES, LTD., the assignee of the entire interest in the original patent (U.S. Patent No. 5,938,865), consents to the filing of the present application for the reissue of U.S. Patent No. 5,938,865.

Tetsuaki Tsuda

Date: Feb. 18, 2003

Name: Tetsuaki Tsuda

Title: General Manager of Intellectual Property Department

For: SUMITOMO METAL INDUSTRIES, LTD.

REISSUE DECLARATION BY THE INVENTORS

As below named inventors, we hereby declare that:

Our residences, mailing addresses and citizenships are stated below next to our names.

We believe that we are original and joint inventors of the subject matter which is described and claimed in U.S. Patent No. **5,938,865**, granted **August 17, 1999**, and for which a reissue patent is sought on the invention entitled: **PROCESS FOR PRODUCING HIGH-STRENGTH SEAMLESS STEEL PIPE HAVING EXCELLENT SULFIDE STRESS CRACKING RESISTANCE**, the specification of which is attached hereto.

We have reviewed the contents of the above-identified specification.

We acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

We verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below.

A. We believe the original patent to be partly inoperative by reason of a defective specification or by reason of the patentees claiming either more or less than they had a right to claim in the patent.

B. Errors occurred in the preparation of the translation from Japanese to English of the priority Japanese patent application, International Application No. PCT/JP96/01274, filed May 15, 1996 and claiming priority from Japanese Patent Application Nos. 7/116023, 7/147844, 7/147845 and 7/171872, filed May 15, 1995, June 14, 1995, June 14, 1995 and July 7, 1995, respectively. Of the following errors for which correction by reissue of U.S. Patent No. 5,938,865 is requested, those identified as items 1 through 3b) inclusive have previously been corrected by the issuance of Certificates of Corrections dated May 1, 2001 and June 18, 2002.

However, in order to consolidate into a single document all of the corrections required to be made in the concerned patent whereby consideration of the completely corrected patent will be facilitated, it is requested that the changes made to correct the foregoing errors be included together with corrections of the remainder of the following identified errors.

Accordingly, it is requested that the following errors be corrected in U.S. Patent No. 5,938,865:

1. in item [73] on the title page of the granted patent, after Sumitomo Metal Industries, "LTC." should have been -- LTD. --.
2. errors in claim 1, as granted, wherein:
 - a) on line 14 of col. 22, "0.1-1-1.5%" should have been -- 0.1 - 1.5% --;
 - b) on line 21 of col. 22, the expression "(2) the hollow shell" should have been deleted;
 - c) on line 35 of col. 22, "T(C°.)" should have been -- T(°C) --; and
 - d) on line 35 of col. 22, "850°C." should have been -- 850 °C --.
3. errors in claim 3, as granted, wherein:
 - a) on line 46 of col. 22, "claim 1, characterized" should have been -- claim 1 or claim 2, characterized --; and
 - b) on lines 47 and 48 of col. 22, "... of C, up to ...", should have been -- ... of C, up to 1.5% of Si, up to ... --.

4. errors in the specification of the patent, as issued, wherein:
 - a) on line 21 of col. 4, "5-271772" should have been -- 6-184711 --;
 - b) on line 25 of col. 8, " $\text{Ti}(\%)-(48/14)\text{x}\{\text{N}(\%)-(14/91)\text{xZr}(\%)\}$ " should have been -- $\text{Ti}(\%)-(48/14)\text{x}\{\text{N}(\%)-(14/91)\text{xZr}(\%)\} > 0$ --; and
 - c) on line 15 of col. 17, "(T+237)" should have been -- (T+273) --.
5. the further error in claim 3, wherein on line 56, of col. 22,
" $\text{Ti}(\%)-(48/14)\text{x}\{\text{N}(\%)-(14/91)\text{xZr}(\%)\} \geq$ " should have been
-- $\text{Ti}(\%)-(48/14)\text{x}\{\text{N}(\%)-(14/91)\text{xZr}(\%)\} > 0$ --.

D. All errors corrected in the this reissue application arose without any deceptive intention on the part of the Applicant. As named inventors, we appoint the following attorneys to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.



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PATENT TRADEMARK OFFICE

Please direct all communications to the following address:



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PATENT TRADEMARK OFFICE

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18 of the United States Code, § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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